UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _06 May 2008_.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _291-299 and 301-338_ is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _291-299 and 301-338_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All   b) ☐ Some * c) ☐ None of:
     1. ☐ Certified copies of the priority documents have been received.
     2. ☐ Certified copies of the priority documents have been received in Application No. _____.
     3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _8/19/2008_.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 291-299 and 301-338 have been examined.

Response to Amendment

2.   The Amendment filed on 10/30/2008 is insufficient to overcome the prior

rejection.

Election/Restrictions

Election made on 2/28/2007 has been noted in the record.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 291, 293-299 and 301, 309, 310, 314, 318, 322, 323, 326 are rejected under 35

U.S.C. 102(e) as being anticipated by Leason (6,251,017).

Claims 295, 291:

Claim 295: Leason discloses a method comprising:

obtaining a plurality of unlock codes, each unlock code being associated

with an identifier that identifies a respective lottery outcome (col 12, lines 5-15; Figures 7-10);

determining that a user has satisfied a qualifying action that is associated

with a retailer (col 12, lines 5-15, making the purchase);

receiving, by a device of the retailer from a device of a user, an identifier

that identifies a lottery outcome that is locked (Figures 7-10);

determining an unlock code of the plurality of purchased unlock codes based

on the received identifier that identifies the lottery outcome that is locked (Figures 7-10); and

providing the determined unlock code to the user (col 12, lines 5-15; Figures 7 and 9).

Also, Leason discloses the user purchasing a plurality of unlock codes (col 14, lines 30-

35; Figures 1, 2, 7, 9).

Claim 291: Leason discloses a method comprising:

generating a plurality of locked outcomes (column 6, Table A; column 8, Table B; Figures

8 and 10);

generating, for each of the plurality of locked outcomes, a respective unlock

code capable of unlocking the locked outcome (column 6, Table A; column 8, Table B;

Figures 7-10);

transmitting at least one of the plurality of locked outcomes to a device of a user (Figures

8 and 10);

transmitting at least one of the plurality of unlock codes to a merchant, in which the user

is not the same as the merchant (col 12, lines 5-15); and

receiving, from the user, an indication of at least one of the at least one unlock codes

transmitted to the merchant (Figures 7-10).

The following applies to the claims preceding.

Additionally, in regards to the portable device, Examiner notes that MPEP

2144.04.V.A states that making a device portable is obvious. And, Leason discloses

utilizing computers, the Internet, and other computer related technologies for utilization

of the invention (Figure 3; col 7, lines 10-20).

And, Leason discloses the Applicant's claims as presently claimed. Figure 4 of

Leason discloses the master code and the subcode. The master code functions as the

locked outcome and the subcode as the unlock code. In figure 9, item 906 acts as the

locked outcome and item 908 as the unlock code (Also See col 10, lines 15-20; col 10,

lines 33-45). In Figure 10, there is the master code which functions as the locked

outcome and the items 1004 which is the sub-code which functions as the unlock code.

Notice that the Applicant's independent claims 291 and 295 do not state the order or

when the locked outcomes and unlock codes are provided in relation to each other. That is,

the locked outcome and unlock code could be provided at a same time. Also, the claims do

not state how the locked outcome is hidden. Leason Table A (column 6, Table A) discloses

that the outcome associated with the Master-Code is locked until the Sub-Code or unlock code

is provided. Then, the e-points or prize that is associated with that Master-Code is revealed.

Hence, the outcome associated with the master-code item 402 of Figure 4 is locked or hidden

until the appropriate unlock code or sub code is entered.   Notice in Leason that the user is

given a limited amount of times to enter the appropriate sub-code (col 7, lines 35-38). Hence,

the user is given a locked outcome/master code and also an unlock code/sub-code. And, the

outcome associated with the master code is hidden or unknown until the user enters the

appropriate locked outcome/master-code and the unlock code/sub-code associated with it.

Also, in regards to claims 291 and 295, please see the citations (col 9, lines 20-36 and

col 10, lines 10- 60). Notice in these citations (col 9, lines 20-36 and col 10, lines 10- 60) and

in the above citations (Figures 7-10; Tables A and B; col 12, lines 5-15) that the locked

outcome information is kept in the Tables A and B. And, the locked outcome is presented via

the GUI/Internet/Website in Figures 8 and 10. And, that the identifiers 706 (Figure 7), 906

(Figure 9), 1002 (Figure 10) identify the specific outcome/lottery/prize that is locked. And, the

user receives the unlock code via the receipt/game card of Figures 7 and 9 (items 702 and

908). And, the user presents the unlock code to Figures 8 and 10 in order to unlock the locked

outcome.

Additionally, Leason further discloses wherein the at least one of the at least one unlock

code was applied to at least one of the at least one locked outcome to produce an outcome.

Table A (column 6, Table A) of Leason discloses that there are outcomes (the

number of e-points to be awarded) where the outcome is locked (the locked outcome is

indicated by the master code which indicates which game card the master code is

associated with). Note in Table A that each different card has a different master code

associated with it. And, Leason discloses that the master code need only have one or

could also have more than one outcomes associated with it (Table A; col 6, lines 37-

42, "Of course, fewer or more sub-codes 108 can be associated with each master-code

106 to decrease or increase the number of choices provided to the player from a single

game card"). Hence, if there is only one subcode associated with the master code,

then there is only one possible outcome. And, Leason discloses that there is a direct

relationship between the subcode/unlock code and the master code/locked outcome

such that only a particular subcode will unlock the outcome associated with the master

code:

"The validation code preferably comprises a <u>master-code</u> 106, 206 and

a set of associated <u>sub</u>-codes 108, 208. (col 4, lines 48-51);

In Relationship Table A below, the <u>master-code and sub</u>-codes for two

game cards are shown. In particular, game card 100 of FIG. 1 is the first game

card in the Relationship Table A. The game card 100 has one <u>master</u> code 106

which is associated with a set of six <u>sub</u>-codes 108. . . Of course, fewer or more

<u>sub</u>-codes 108 can be associated with each <u>master-code</u> 106 to decrease or

increase the number of choices provided to the player from a single game card. (col 6,

lines 25-42);

(15)   The method according to this arrangement of the invention is now

described with reference to the process flow of FIG. 5. At step 500, a

relationship table such as the Relationship Table A above is established which

correlates an e-point award with a multiplicity of <u>master-codes</u> and their

associated sets of <u>sub</u>-codes. . . In the event that the entered <u>master-code</u> is not

associated with the selected <u>sub</u>-code in the relationship table, then at step

550 the player is requested to re-enter the <u>master-code and sub</u>-code using the

redemption form 400. The user may be permitted only a limited number of

attempts (e.g., three) to enter the correct codes to minimize and inhibit code

hacking. (col 7, lines 5-37);

(16)   If the <u>master-code</u> and the selected <u>sub</u>-code entered into the redemption

form 400 are associated with one another in the database 300, then at step 560

a check is made to determine whether the game card has already been used.

Preferably, a game card can only be used once and then it is exhausted or void.

To "use" the game card and exhaust it, a player must enter a <u>master-code and a</u>

<u>corresponding sub</u>-code that are associated in the relationship table. Thus,

when a player enters the correct codes and the card is not void, he or she will

be awarded at step 570 the predetermined number of e-points associated with the

entered codes. Entry of the incorrect code directs the process flow to step

550 for code re-entry and the game card is not voided.(col 7, lines 35-50);

(32)...The e-points are awarded if the entered <u>master-code and sub</u>-code are

associated in a relationship table, such as one of the above-described

relationship tables". (col 10, lines 47-45);

Also, Leason discloses that the master code (locked outcome which has now

been unlocked by the sub code or unlock code) is voided after the master code has

been unlocked or claimed/redeemed properly:

"After awarding the e-points, the <u>master-code</u> and preferably (but optionally)

each of the <u>sub</u>-codes associated with that <u>master-code</u> are flagged as void, at

step 580. . .Because the <u>master-code</u> has been marked as void, if it

is subsequently entered at step 530, it will still satisfy the validity test at

step 540 (because the codes are valid ones), but will fail the "card void" test

at step 560". (col 7, 60-col 8, line 10).

Also, Leason further discloses that "an arbitrary number of alphanumeric

characters can be used for the validation code" (col 13, line 60-col 14, line 17). Hence,

the master code (locked outcome) or sub code (unlock code) can be a variety of lengths or formats.

Hence, Leason discloses that there can be master code with a single locked outcome associated with it and that only a particular unlock code/sub code can open that particular locked outcome/master code. And, that once the particular sub code/unlock code has been applied to the particular master code/locked outcome that the locked outcome is then unlocked and the outcome is revealed. And, the locked outcome/master code is then voided so that the particular redemption can only occur once. Hence, Leason discloses wherein the at least one of the at least one unlock code (sub code) was applied to at least one of the at least one locked outcome (master code with associated outcome/points) to produce an outcome (particular award/points).

Hence, Leason discloses wherein the at least one of the at least one unlock code was applied to at least one of the at least one locked outcome to produce an outcome.

Claim 293: Leason discloses the method of claim 29l, further comprising:

selling the at least one of the plurality of locked outcomes to the user (Abstract, 'Game Cards'; col 14, lines 30-35; Figures 6, 8, 10).

Claim 294: Leason discloses the method of claim 29l, further comprising:

receiving an indication that at least one of the at least one locked outcomes transmitted to the device of the user has been unlocked (col 1, lines 26-40; Figures 8, 10).

Claim 296: Leason discloses the method of claim 295, in which determining that the user has satisfied the qualifying action comprises:

determining that the user visited an establishment of the retailer (col 2, lines 5-15).

Claim 297: Leason discloses the method of claim 295, in which

determining that the user has satisfied the qualifying action comprises:

determining that the user purchased a product from the retailer (col 2, lines 55-61; Figure

9).

Claim 298: Leason discloses the method of claim 295, in which

determining that the user has satisfied the qualifying action comprises:

receiving from the user an amount for a purchase that is not less than a

predetermined amount (col 2, lines 55-61; Figure 9; where the purchase price of the item is

the predetermined amount).

Claim 299: Leason discloses the method of claim 295, in which

the device of the retailer comprises a point-of-sale terminal (col 11, lines 1-10).

Claim 301, 314: Leason discloses the method of claim 295, in which each unlock code

of the

plurality of purchased unlock codes is associated with a respective qualifying action that is

based on an external event (col 2, lines 30-45; col 13, lines 15-20).

Claim 309: Leason discloses the method of claim 291, in which at least one of the at

least

one locked outcome transmitted to the device of the user is associated with a

respective qualifying action in which the user is required to perceive predetermined

content (col 13, lines 6-15).

Claim 310: Leason discloses the method of claim 291, in which at least one of the at

least

one locked outcome transmitted to the device of the user is associated with a

respective qualifying action in which the user is required to view an advertisement (col 13,

lines 6-15).

Claim 318, 322, 323, 326: Leason discloses an encoded outcome and that the outcome

is unlocked by a its respective unlock code (column 6, Table A, Master-Code). Leason

discloses an identifier that identifies the outcome (column 6, Table A, Master-Code). Leason

discloses that the locked outcome is associated with a value (column 6, Table A).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 292, 302, 315, 319, 320, 324, 325, 327-334, 335-338 are rejected under

35 U.S.C. 103(a) as being unpatentable over Leason (6,251,017).

Claim 292: Leason discloses the above. Leason further discloses the merchant

obtaining a plurality of unlock codes, each unlock code being associated with an identifier that

identifies a respective lottery outcome (col 12, lines 5-15; Figures 7-10).

Leason does not explicitly disclose selling the at least one of the plurality of unlock

codes to the merchant.

However, Leason discloses the user purchasing a plurality of unlock codes (col 14, lines

30-35; Figures 1, 2, 7, 9).

And, Leason discloses a processing center (col 1, lines 35-40; col 4, lines 60-67) and also franchises (col 1, lines 10-55; col 4, lines 60-67).

And, MPEP 2144.04.VI discloses that reversal, duplication, or rearrangement of parts is an obvious modification.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to that Leason's store's, franchises, movie theater's, theaters, etc can pay for the game cards/receipts/validation codes that get provided/sold/award to users. One would have been motivated to do this in order to cover the costs of participating in or operating the promotions system.

Also, since the user can be charged for the game cards/receipts/validation codes, it is also obvious that the retailer store/franchisor can also be charged. Retailers/franchisors sell products at a retail price which they received at a wholesale price. Or, since the retailer charges the user, it is obvious that the processing center can charge the retailer.

Claims 302, 315: Leason discloses the above. Leason discloses that the awards can be tied to an external event.

Leason does not explicitly disclose that the external event is a sports game. However, Leason discloses the user going to theater in order to have a chance at receiving the awards (col 13, lines 15-20). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add a sporting event as what the user can attend to receive the awards. One would have been motivated to do this in order to provide a wider range of venues/events/merchants who

can participate and also to better provide venues/events/merchants of interest to the user.

Claim 319: Leason discloses utilizing scratch-off technology (Figure 2, item 210).

Claim 320: Leason discloses code (Figure 4, item 404, item 410) which tell the device whether to reveal the locked outcome (Figure 4). Notice that if the user does not enter a proper sub-code, nothing is revealed (col 7, lines 33-37).

Claim 324, 325: Leason discloses utilizing symbols (Figure 2) and a store no. for retailer identification and a relation between the different items in the Table A (Table A, column 6).

Claim 327: Examiner takes Official Notice that it is old and well known that confirming user location or that the user visited a store/area is an old and well known technique for rewarding certain user behavior.

Claims 328-332: Please see the citations in the rejections made and also the Response to Arguments section below.

Claim 333: Leason discloses utilizing a telephone and 2 way electronic communication (col 13, lines 45-55).

Claim 334: Additionally, in regards to the portable device, Examiner notes that MPEP 2144.04.V.A states that making a device portable is obvious. And, Leason discloses utilizing computers, the Internet, and other computer related technologies for utilization of the invention (Figure 3; col 7, lines 10-20). Hence, it is obvious that the user computer can be portable.

Claims 335-337: Please see the rejection and citations above. Also, please see

the Response to Arguments below. Additionally, Leason discloses that the number of

points for mastercode and subcode combinations can vary or be different even if the

combination is the same (Col 9, line 53-col 10, line 12; Table A). Also, note in Table A

that the e-points can vary based on card no, master-code no. That is the same card no

and mastercode no can have different rewards. And, as cited, random prizes can be

generated for the same master-code and sub-code combinations.

Claim 338: Please see the rejection of claim 291 above where these new

features are addressed.

5.   Claims 303, 316, 317 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Leason (6,251,017) in view of Klayh (20030050831).

Claims 303, 316: Leason discloses the above.

Leason does not explicitly disclose that at least one of the at least   one locked outcome

transmitted to the device of the user is associated with a   respective qualifying action, in which

satisfaction of the qualifying action is   determinable based on information ascertained from at

least one of the following   types of sensors: a retinal scanner, a heart monitor, a skin

conductivity sensor, or

a breath analyzer.

However, Leason discloses the user being identified (col 1, lines 40-55).

And, Klayh discloses a coupon/award system and a variety of sensors, including voice

and eye, for identifying the user ([21]).

Therefore, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to add Klayh's further user identification to Leason's

user identification. One would have been motivated to do this in order to better identify

the user.

Claim 317: Leason does not explicitly disclose utilizing encryption. However,

Klayh discloses encryption/decryption ([42, 93, 101]). Therefore, it would be obvious

that Leason's use of codes and the Internet can involve encryption. One would be

motivated to do this in order to better secure the unique codes.

6.   Claim 304-307, 311-312 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Leason (6,251,017) in view of Goldhaber (5,794,210).

Claims 304-307, 311-312:

Leason discloses the above. Leason further disclsoes the user viewing advertising (col

13, lines 6-20) and the user receiving awards/compensation for desired behavior/qualifying

actions (see rejection above).

Leason does not explicitly disclose that the qualifying action is a survey, release private

 Information, to pass an accuracy test, whether the user answers similar questions

consistently, required to achieve a predetermined performance level of a game, the user is

required to achieve a predetermined performance level of a test of skill.

However, Goldhaber discloses receiving compensation/awards after the user is

tested/questioned/surveyed/provides answers/is presented a game concerning content seen

(col 11, lines 30-45; col 47-61). Golhdaber further discloses compensating for providing

private information (col 11, lines 30-45; col 7, lines 60-67).

Therefore, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to add Goldhaber's providing compensation for ad

awareness demonstration to Leason's providing compensation when the user sees ads.

One would have been motivated to do this in order to better assure that the user pays

attention to the ad content.

7.   Claims 308, 313 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Leason (6,251,017) in view of Hiroshi (JP05101236A).

Leason discloses the above. Leason further disclsoes the device of the retailer

comprises a point-of-sale terminal (col 11, lines 1-10). Leason further discloses the user

utilizing a telephone for communications (col 13, lines 45-60).

Leason does not explicitly disclose a respective qualifying action in which the user is

required to stand in line at a checkout counter or on hold for a predetermined period of time.

However, Hiroshi disclose a user receiving compensation/ a coupon for a respective

qualifying action in which the user is required to stand in line at a checkout counter or on hold

for a predetermined period of time (Abstract).

Therefore, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to add Hiroshi's awarding a user forced to be in line to

Leason's utilization of retailer POS and telephone communications. One would have

been motivated to do this in order to better attract and keep users/buyers who have

been forced to wait in line.

8.   Claims 321, 327 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Leason (6,251,017) in view of Herz (20060069749).

      Claims 321, 327: Leason does not explicitly disclose utilizing GPS. However, Herz

discloses utilizing GPS and awarding users for being in the vicinity of desirable places

([27, 99]). Therefore, it would be obvious that Leason can confirm visits by GPS and

award users for visiting. One would be motivated to do this because Leason already

awards visiting and GPS allows better confirmation of visiting.

Response to Arguments

9.   Applicant's arguments with respect to the claims have been considered but are

not found persuasive.

      On 5/6/08, Applicant added the new features of "wherein the at least one of the

at least one unlock code was applied to at least one of the at least one locked outcome

to produce an outcome".

      And, on page 23, Applicant states, "the master-code and sub-code of Leason are

nowhere applied one to the other to produce anything."

      However, the mastercode and subcode of Leason are associated and related.

The particular subcode is applied t   o the particular mastercode to unlock the

particular outcome or produce the associated prize. The particular subcode is applied to the particular mastercode.

Hence, Leason further discloses wherein the at least one of the at least one unlock code was applied to at least one of the at least one locked outcome to produce an outcome.

Table A (column 6, Table A) of Leason discloses that there are outcomes (the number of e-points to be awarded) where the outcome is locked (the locked outcome is indicated by the master code which indicates which game card the master code is associated with). Note in Table A that each different card has a different master code associated with it. And, Leason discloses that the master code need only have one or could also have more than one outcomes associated with it (Table A; col 6, lines 37-42, "Of course, fewer or more sub-codes 108 can be associated with each master-code 106 to decrease or increase the number of choices provided to the player from a single game card"). Hence, if there is only one subcode associated with the master code, then there is only one possible outcome. And, Leason discloses that there is a direct relationship between the subcode/unlock code and the master code/locked outcome such that only a particular subcode will unlock the outcome associated with the master code:

"The validation code preferably comprises a master-code 106, 206 and a set of associated sub-codes 108, 208. (col 4, lines 48-51);

In Relationship Table A below, the master-code and sub-codes for two game cards are shown. In particular, game card 100 of FIG. 1 is the first game

card in the Relationship Table A. The game card 100 has one <u>master</u> code 106

which is associated with a set of six <u>sub</u>-codes 108. . . Of course, fewer or more

<u>sub</u>-codes 108 can be associated with each <u>master-code</u> 106 to decrease or

increase the number of choices provided to the player from a single game card. (col 6,

lines 25-42);

(15)   The method according to this arrangement of the invention is now

described with reference to the process flow of FIG. 5. At step 500, a

relationship table such as the Relationship Table A above is established which

correlates an e-point award with a multiplicity of <u>master-codes</u> and their

associated sets of <u>sub</u>-codes. . . In the event that the entered <u>master-code</u> is not

associated with the selected <u>sub</u>-code in the relationship table, then at step

550 the player is requested to re-enter the <u>master-code and sub</u>-code using the

redemption form 400. The user may be permitted only a limited number of

attempts (e.g., three) to enter the correct codes to minimize and inhibit code

hacking. (col 7, lines 5-37);

(16)   If the <u>master-code</u> and the selected <u>sub</u>-code entered into the redemption

form 400 are associated with one another in the database 300, then at step 560

a check is made to determine whether the game card has already been used.

Preferably, a game card can only be used once and then it is exhausted or void.

To "use" the game card and exhaust it, a player must enter a <u>master-code and a</u>

<u>corresponding sub</u>-code that are associated in the relationship table. Thus,

when a player enters the correct codes and the card is not void, he or she will

be awarded at step 570 the predetermined number of e-points associated with the

entered codes. Entry of the incorrect code directs the process flow to step

550 for code re-entry and the game card is not voided.(col 7, lines 35-50);

(32)…The e-points are awarded if the entered master-code and sub-code are

associated in a relationship table, such as one of the above-described

relationship tables". (col 10, lines 47-45);

Also, Leason discloses that the master code (locked outcome which has now

been unlocked by the sub code or unlock code) is voided after the master code has

been unlocked or claimed/redeemed properly:

"After awarding the e-points, the master-code and preferably (but optionally)

each of the sub-codes associated with that master-code are flagged as void, at

step 580. . .Because the master-code has been marked as void, if it

is subsequently entered at step 530, it will still satisfy the validity test at

step 540 (because the codes are valid ones), but will fail the "card void" test

at step 560". (col 7, 60-col 8, line 10).

Also, Leason further discloses that "an arbitrary number of alphanumeric

characters can be used for the validation code" (col 13, line 60-col 14, line 17). Hence,

the master code (locked outcome) or sub code (unlock code) can be a variety of

lengths or formats.

Hence, Leason discloses that there can be master code with a single locked

outcome associated with it and that only a particular unlock code/sub code can open

that particular locked outcome/master code. And, that once the particular sub

code/unlock code has been applied to the particular master code/locked outcome that

the locked outcome is then unlocked and the outcome is revealed. And, the locked

outcome/master code is then voided so that the particular redemption can only occur

once.   Hence, Leason discloses wherein the at least one of the at least one unlock

code (sub code) was applied to at least one of the at least one locked outcome (master

code with associated outcome/points) to produce an outcome (particular award/points).

Hence, Leason discloses wherein the at least one of the at least one unlock code

was applied to at least one of the at least one locked outcome to produce an outcome.

Conclusion

The following prior art made of record and not relied upon is considered pertinent

to applicant's disclosure:

aa) AUXIER (6379251) DISCLOSES LOCKED OUTCOMES, UNLOCK CODES
AND SCRATCH-OFF GAMES (Figure 4, Figure 7); Rantanen (6,685,562) discloses all
the features of the Applicant's independent claims;
ab) Stoughton, 'Facing the Crowds';

b) Mothwurf (20050033642):
"[0013] In order to satisfy the above objects there is provided, in accordance
with a first aspect of the invention, a method of promoting a product or a
brand in a retail store comprising the steps of analyzing data determined at a
point of sale relating to purchases by a customer, e.g. data from a bar-code
scanner, to determine whether a customer has purchased a particular product or
brand or has purchased products equaling or exceeding a predetermined value
and, if this is the case, entitling the customer to participate in a
prize/bonus ticket game configured as a game of chance, conducting a game of
chance based on a predetermined win table having a specified number of
predetermined winning numbers each associated with a bonus or prize and a
further number of no win stops, i.e. numbers which are not winning numbers, and
in the case of a win, issuing to the customer a lottery ticket which is a
winning ticket associated with the product or product range.

[0014] The invention is thus based on the concept that the promotion of a

particular product or brand of products can be made more exciting for the customer and more effective because of enhanced customer interest if the customer is entitled, on <u>purchasing</u> a product or brand, to participate in a game of chance which gives the opportunity for the customer to win a prize, with the validation of prizes taking place via a type of <u>lottery</u> ticket".

c) Eggleston (6061660)(Fig. 11; Fig. 12; and below):

"(88)   Referring to FIG. 11, at the step 384 the HTTP server 188 of the host computer 18 also initializes an application program that builds the underlying <u>code</u> for the incentive program. The application program may be programmed in a language for building incentive programs, such as C++. The application program inserts algorithms and generates <u>code</u> to create an incentive program satisfying the parameters entered by the sponsor. The <u>code</u> is a series of statements, such as C++ statements, each statement reflecting the implementation of one of the incentive program parameters defined by the sponsor. For example, a <u>sweepstakes</u> incentive program would include, as a step in the generated <u>code,</u> the generation of a random <u>number,</u> as well as the selection of a winner based on the random <u>number</u>. Once the incentive program is complete, the sponsor may pay for the incentive program by electronic funds transfer, credit card, or the like. Once the payment is confirmed, a file containing the <u>code</u> for the incentive program is transmitted, in the step 388, to the sponsor for downloading on the sponsor's site, whether by electronic mail, an HTTP link, or similar conventional transmission. As with the prepackaged incentive programs bought by the sponsor, the incentive program must be capable of generating a signal indicating that a consumer has won. The "win" signal calls an application program that updates the consumer database 200 to reflect that the consumer has won the prize associated with the incentive program and the application program updates the sponsor database 202 to reflect that the prize associated with the incentive program has been won by the customer. An HTML page is generated for the individual consumer indicating whether a win or loss has occurred and, in the case of a win, identifying the prize and fulfillment option."

d) Grippo (6017032):

"(20)   Other means of acquiring tickets for use in playing the present lottery game may be provided, as well. For example, an <u>advertiser,</u> business, or the like may establish a relationship with the operator of the present <u>lottery</u> game in which players may <u>purchase</u> tickets using some collateral other than money, such as <u>purchase</u> receipts, product packaging or labeling (e.g., food wrappers), etc., in accordance with the arrangement between the establishment and the game

operator. The game operator collects the appropriate non-monetary collateral from the bettors or players and presents it to the advertising or business establishment, whereupon the establishment reimburses the game operator for the equivalent amount of funds required to purchase the tickets provided for the non-monetary collateral".

e) Katz (5365575) discloses autocancel features:

"(55)   The lottery ticket LT on its reverse side is provided with a bar code BC defining a number corresponding to the unique identification number UN which would allow the retailer or the lottery system to verify instant winners when the lottery tickets are redeemed and automatically cancel related information on the data stored in the memory".

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur Duran whose telephone number is (571)272-6718. The examiner can normally be reached on Mon- Fri, 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

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